

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RAOUF G. HADDAD,)	
)	
Plaintiff,)	
)	
v.)	No. 4:06-CV-1456-DJS
)	
HERTZ CORPORATION,)	
)	
Defendant.)	

ORDER AND MEMORANDUM

This matter is before the Court upon the application of Raouf G. Haddad for leave to commence this action without payment of the required filing fee. See 28 U.S.C. § 1915(a).

The applicant has submitted a partially-completed financial affidavit CJA Form 23 in support of his application for in forma pauperis status. See Local Rule 2.05(A). The applicant failed to state whether he is married and/or has any dependents, whether he has any cash on hand or money in any bank accounts, and whether he has any property of value. As a result, the Court is unable to determine, at this time, whether plaintiff is financially unable to pay the filing fee. See 28 U.S.C. § 1915(a), Local Rule 2.05(A).

Accordingly,

IT IS HEREBY ORDERED that, in addition to a copy of this Order, the Clerk of Court shall provide plaintiff with CJA Form 23 (financial affidavit).

IT IS FURTHER ORDERED that plaintiff shall have twenty (20) days from the date of this Order to pay the Court's filing fee of \$350.00, or to submit a fully completed CJA Form 23 (financial affidavit).

IT IS FURTHER ORDERED that the Court will dismiss this case, without prejudice, if, within twenty (20) days, plaintiff fails to pay the filing fee or to submit a fully completed CJA Form 23.

IT IS FURTHER ORDERED that if plaintiff complies with this Order, the Clerk of Court shall cause this case to be resubmitted to the undersigned for review under 28 U.S.C. § 1915(a), (d).¹

Dated this 31st day of October, 2006.

/s/Donald J. Stohr
UNITED STATES DISTRICT JUDGE

¹The Court notes that if plaintiff pays the filing fee, he will be responsible for serving the summons and the complaint upon the defendant. See Fed. R. Civ. P. 4(d). Service must be made within 120 days of the filing of the complaint (in the instant case, within 120 days of the payment of the filing fee). See Fed. R. Civ. P. 4(m).